

ORDINANCE NO. 2011-21

AN ORDINANCE AMENDING CHAPTER 10, "COIN-OPERATED AMUSEMENT DEVICES," OF THE ORDINANCES OF THE VILLAGE OF STICKNEY, ILLINOIS BY ADDING, DIVISION 3. VIDEO GAMING SECTION 10-70, SECTION 10-71

BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, A HOME RULE UNIT OF GOVERNMENT AS FOLLOWS:

WHEREAS, the Village of Stickney (the "Village") is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village of Stickney desires to regulate the licensing of Video Gaming amusement devices at establishments within the Village; and

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEE OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS.

Section 1. Recitals. The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Adoption. Chapter 10, Article II. Division 3. VIDEO GAMING, Section 10-70, Section 10-71

Division 3. VIDEO GAMING

Section 10-70. Definitions.

Video Gaming, as legalized by the Illinois Video Gaming Act, will legalize video gaming in Illinois at truck stops, bars and other venues permitting alcohol consumption.

Establishment means the entire location of the business operated by the licensee, including but not limited to all rooms, subtenancies and auxiliary or supplemental uses of the business.

Section 10-71. Video Gaming Permitted Only on Premises Where Alcoholic Liquor is Sold at Retail.

- (a) Any establishment within the village which is licensed to sell alcoholic liquor and has obtained a license to operate a video gaming terminal from the Illinois Gaming Board at such premises shall be required to apply for and obtain a video gaming sticker from the village for each video gaming terminal located at such establishment.**
- (b) Any person licensed to sell alcoholic liquor may apply to the Liquor Control Commissioner for a village video gaming sticker on an application form provided and pay a fee of \$500.00 for each video gaming terminal at the premises.**
- (c) All video gaming terminals at premises within the village shall display a village video gaming sticker at all times.**
- (d) Village gaming stickers shall not be issued for any video gaming terminal on any premise that is located within 1,000 feet of a horse racing or riverboat gambling facility or is located within 100 feet of a school or place of worship. The**

restriction does not apply if the church or school is established after the issuance of the liquor license.

- (e) No more than five video gaming terminals may be located on any premises where alcoholic liquor is sold.
- (f) Video gaming terminals must be located in an area that is restricted to persons over 21 years of age. The entrance to such area must be within the view of at least one employee.
- (g) No holder of a license to sell alcoholic liquor may cause or permit any person under the age of 21 years to use or play a video gaming device.
- (h) Video gaming may be played only during the hours of operation for the consumption of alcohol at that establishment.
- (i) Any holder of a liquor license must comply with any provision of the Act and must also follow all rules, regulations and restrictions imposed by the Illinois Gaming Board.
- (j) Annual fees to be paid shall be for a calendar year without proration should the video gaming terminal operate for any portion of any calendar year.
- (k) Any violation of any provision of this section shall be deemed a violation of the provisions of this chapter and subject to enforcement.

Section 3. Home Rule. This ordinance is enacted under the Home Rule powers of the Village as set forth in the Constitution and laws of the State of Illinois.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication in the manner provided by law.

Section 5. Conflicts. This Ordinance supersedes all ordinances or parts of ordinances directly conflicting with the terms and provisions contained herein, but only to the extent of such conflict.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 7. Certification and Publication. The Village Clerk of the Village of Stickney shall certify to the adoption of this Ordinance and cause the same to be published in pamphlet form.

PASSED AND APPROVED at a regular meeting of the President and the Board of Trustees of the Village of Stickney, Illinois this 18th day of October, 2011

AYES: Trustees Mares, Morelli, Walik, White and Zeedyk

NAYS: _____

ABSENT: Trustee Schimel

ABSTAIN: _____

APPROVED by me this 20th day of October, 2011



President Daniel A. O'Reilly of the Village
of Stickney, Cook County, Illinois

ATTESTED, Filed in my office,
and published in pamphlet form
this 20th day of October, 2011



Audrey McAdams
Clerk of the Village of Stickney, Cook County, Illinois